

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
AT KNOXVILLE

JAMES CATE,)
)
Plaintiff,)
)
v.) No. 3:02-CV-611
)
CITY OF ROCKWOOD, et al.,) (Phillips)
)
Defendants.)

JUDGMENT ON DECISION BY THE COURT

This case came before the court on the motion for summary judgment by the defendants. The Honorable Thomas W. Phillips, United States District Judge, having rendered a decision on the defendants' motion.

IT IS ORDERED AND ADJUDGED that Judgment is **GRANTED** to defendants Michael Miller, James Neal, Harold Isham, Carl Lehman, Glen Long and Jack McGuire in their individual capacities on plaintiff's claim for retaliatory discharge under the Tennessee statutory and common law. The individual defendants' motion for summary judgment is **DENIED** as to plaintiff's claims for violation of his constitutional rights under the First and Fourteenth Amendments of the United States Constitution. The City of Rockwood and the Rockwood Water, Waste Water and Natural Gas Board's motion for summary judgment is **DENIED** in all respects.

Dated at Knoxville, Tennessee this _____ day of April, 2006.

s/ Patricia L. McNutt
Clerk of the Court